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SENATE BILL 166

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

ROMAN M. MAES III

AN ACT

CREATING A JOINT INTERIM LEGISLATIVE GASOLINE PRICING STUDY  
COMMITTEE; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. GASOLINE PRICING STUDY COMMITTEE CREATED--  
TERMINATION.--The "gasoline pricing study committee" is  
created as a joint interim legislative committee. The  
committee shall function from the date of its appointment  
until December 1 prior to the first session of the forty-  
fourth legislature.

Section 2. MEMBERSHIP-- APPOINTMENT-- VACANCIES. --

A. The gasoline pricing study committee shall be  
composed of eight members. Four members of the house of  
representatives shall be appointed by the speaker of the house  
of representatives, and four members of the senate shall be

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1 appointed by the committees' committee of the senate or, if  
2 the senate appointments are made in the interim, by the  
3 president pro tempore of the senate after consultation with  
4 and agreement of a majority of the members of the committees'  
5 committee.

6 B. Members shall be appointed from each house so  
7 as to give the two major political parties in each house the  
8 same proportional representation on the committee as prevails  
9 in each house; however, in no event shall either party have  
10 less than one member from each house on the committee.

11 Vacancies on the committee shall be filled by appointment in  
12 the same manner as the original appointments. The chairman  
13 and vice chairman of the committee shall be elected by the  
14 committee.

15 C. No action shall be taken by the committee if a  
16 majority of the total membership from either house on the  
17 committee rejects such action.

18 Section 3. DUTIES.--After its appointment, the gasoline  
19 pricing study committee shall hold one organizational meeting  
20 to develop a work plan and budget for the ensuing interim.  
21 The work plan and budget shall be submitted to the New Mexico  
22 legislative council for approval. Upon approval of the work  
23 plan and budget by the legislative council, the committee  
24 shall examine the statutes, constitutional provisions,  
25 regulations, court decisions and the actions and agreements of

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1 gasoline retailers, distributors, wholesalers and refiners  
2 concerning the pricing of gasoline in New Mexico. The  
3 committee shall report its findings and recommend legislation  
4 or changes if any are found to be necessary to the  
5 first session of the forty-fourth legislature.

6 Section 4. POWERS. --The gasoline pricing study committee  
7 shall have the power to conduct hearings and administer oaths.  
8 The committee or any subcommittee thereof consisting of three  
9 members or more shall have the power to subpoena, which may be  
10 enforced through any district court of the state. Process of  
11 the committee shall be served by any sheriff or any member of  
12 the New Mexico state police and shall be served without cost  
13 to the committee.

14 Section 5. SUBCOMMITTEES. --Subcommittees shall be  
15 created only by majority vote of all members appointed to the  
16 gasoline pricing study committee and with the prior approval  
17 of the New Mexico legislative council. A subcommittee shall  
18 be composed of at least one member from the senate and one  
19 member from the house of representatives, and at least one  
20 member of the minority party shall be a member of the  
21 subcommittee. All meetings and expenditures of a subcommittee  
22 shall be approved by the full committee in advance of such  
23 meeting or expenditure, and the approval shall be shown in the  
24 minutes of the committee.

25 Section 6. REPORT. --The gasoline pricing study committee

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1 shall make a report of its findings and recommendations for  
2 the consideration of the first session of the forty-fourth  
3 legislature. The report and suggested legislation shall be  
4 made available to the New Mexico legislative council on or  
5 before December 15 preceding that session.

6 Section 7. STAFF.--The staff for the gasoline pricing  
7 study committee shall be provided by the legislative council  
8 service. As identified in the approved work plan and budget,  
9 the legislative council service may contract for the services  
10 of attorneys, economists and other persons knowledgeable in  
11 the field of gasoline pricing to assist the committee in its  
12 duties.

13 Section 8. APPROPRIATION.--For the purpose of paying the  
14 salaries and expenses of the technical, legal, clerical and  
15 stenographic assistants, for necessary equipment and supplies  
16 used in carrying out the provisions of this act, for  
17 contractors and for reimbursing the per diem and mileage  
18 expenses of the gasoline pricing study committee, there is  
19 appropriated to the legislative council service from the  
20 general fund the sum of one hundred fifty thousand dollars  
21 (\$150,000). All or any part of this appropriation may be  
22 expended in fiscal years 1998 and 1999, and any unexpended or  
23 unencumbered balance remaining at the end of fiscal year 1999  
24 shall revert to the general fund. Payments from the  
25 appropriation shall be made upon vouchers signed by the

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1 director of the legislative council service or his authorized  
2 representative.

3 Section 9. EMERGENCY.--It is necessary for the public  
4 peace, health and safety that this act take effect  
5 immediately.

1 FORTY-THIRD LEGISLATURE  
2 SECOND SESSION, 1998  
3  
4  
5

6 January 30, 1998  
7

8 Mr. President:  
9

10 Your COMMITTEES' COMMITTEE, to whom has been referred  
11

12 SENATE BILL 166  
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14 has had it under consideration and finds same to be GERMANE, in  
15 accordance with constitutional provisions, and thence referred to the  
16 PUBLIC AFFAIRS COMMITTEE.  
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19 Respectfully submitted,  
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Manny M. Aragon, Chairman

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(Chief Clerk)

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Date \_\_\_\_\_

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